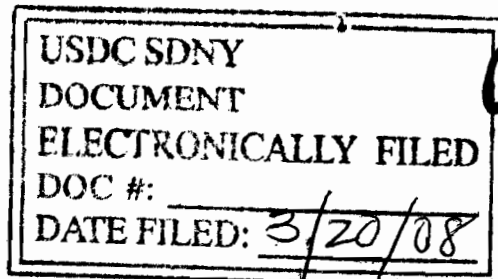


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**ORIGINAL**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
SUSAN J. RUSSO,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.  
-----X

ECF CASE

07 Civ. 3096 (SAS) (DCF)

STIPULATION OF  
SETTLEMENT AND DISMISSAL

IT IS HEREBY STIPULATED AND AGREED by and between plaintiff Susan J. Russo ("Plaintiff"), and defendant, United States of America ("the United States"), that the above-captioned action ("Action") shall be resolved as follows:

1. The United States will pay to Plaintiff \$30,000.00 by check payable to the law firm of Petrocelli & Christy, as attorney, which sum shall be in full settlement of any and all claims for personal injury, property damage, or any other damages that Plaintiff now has or may hereafter acquire against the United States, the United States Postal Service (the "USPS"), or any department, agency, agent, officer, or employee of the United States or the USPS (collectively "the Government"), on account of the alleged events, circumstances, or incidents giving rise to the Action herein.

2. The Action is hereby dismissed with prejudice and without costs.

3. This agreement shall not constitute an admission of liability or fault on the part of the Government or Plaintiff.

4. Plaintiff stipulates and agrees to accept payment of the consideration set forth in paragraph 1 in full settlement and satisfaction of any and all claims and demands for personal injury, property damage, or any other damages which she and her heirs, executors, successors in interest, administrators, or assigns may have or hereafter acquire against the Government on account of the events, circumstances, or incidents giving rise to this Action and claims incident thereto. Plaintiff releases and forever discharges the Government from any and all claims and liability for property damage, personal injury, or any other damages arising directly or indirectly from the events, circumstances, or incidents giving rise to or referred to in the Action.

5. Payment of the consideration set forth in paragraph 1 of this Stipulation shall be made only after execution by the parties and entry by the Court of this Stipulation.

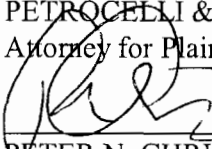
6. Settlement of this action is to be without interest, costs, or disbursements and inclusive of attorney's fees in accordance with 28 U.S.C. § 2678, and all liens and fees are to be satisfied out of the amount of this settlement.

7. Plaintiff will indemnify and hold harmless the Government from any and all claims arising from the assignment of claims and liens upon the settlement proceeds, and this Stipulation and Order shall constitute a written agreement to that effect.

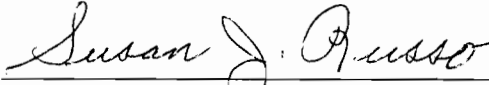
8. Plaintiff and the Government understand and agree that this agreement contains the entire agreement between them, and that no statements, representations, promises,

agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

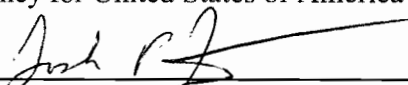
Dated: New York, New York  
March 12, 2008

PETROCELLI & CHRISTY  
Attorney for Plaintiff Susan J. Russo  
By:   
PETER N. CHRISTY, ESQ.  
217 Broadway - Suite 505  
New York, New York 10007  
Tel.: 212.571.7000  
E-mail: [petrocelli-christy@msn.com](mailto:petrocelli-christy@msn.com)

Dated: New York, New York  
March 13, 2008

  
SUSAN J. RUSSO, Plaintiff

Dated: New York, New York  
March 17, 2008

MICHAEL J. GARCIA  
United States Attorney for the  
Southern District of New York  
Attorney for United States of America  
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SO ORDERED:

  
THE HONORABLE SHIRA A. SCHEINDLIN  
UNITED STATES DISTRICT JUDGE

3/19/08